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SOUTHERN DISTRICT OF CALIFORNIA
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SEALED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

February 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

[REDACTED] (1),
aka [REDACTED],
[REDACTED] (2),
[REDACTED] (3),
[REDACTED] (4),
[REDACTED] (5),
[REDACTED] (6),
[REDACTED] (7),
[REDACTED] (8),
FLORIN NICOLAE (9),
aka Gabriel Stoica,
aka Moise Devis,
[REDACTED] (10),
[REDACTED] (11),
[REDACTED] (12),
aka [REDACTED],
[REDACTED] (13),
[REDACTED] (14),
Defendants.

Case No. '23 CR2090 LAB

I N D I C T M E N T

Title 18, U.S.C., Sec. 1349 -
Conspiracy to Commit Wire Fraud;
Title 18, U.S.C., Sec. 1343 -
Wire Fraud; Title 18, U.S.C.,
Sec. 1956(h) - Conspiracy to
Launder Monetary Instruments;
Title 18, U.S.C.,
Secs. 1956(a)(2)(A) and
1956(a)(2)(B)(i) - Laundering of
Monetary Instruments;
Title 18, U.S.C., Secs.
981(a)(1)(C), 982(a)(1)
and 982(b), Title 21, U.S.C.,
Sec. 853(p), and Title 28,
U.S.C., Sec. 2461(c) - Criminal
Forfeiture

The Grand Jury charges, at all times material:

INTRODUCTORY ALLEGATIONS

1. The Insurance Program "UI Program" was a joint federal-state partnership administered on behalf of the U.S. Department of Labor by agencies in each state. In the State of California, the UI Program was administered by California's Employment Development Department ("California EDD").

JSCH:nlv(1):San Diego:10/6/23

1 2. On March 13, 2020, President Trump declared a nationwide
2 emergency due to COVID-19, and in March 2020, the Families First
3 Coronavirus Response Act ("FFCRA") and the Coronavirus Aid, Relief, and
4 Economic Security ("CARES") Act provided additional funding for state
5 UI agencies to respond to the COVID-19 pandemic. The CARES Act allowed
~~6 states to expand the scope of workers who were eligible to receive state~~
7 UI benefits, to extend the period of time for which workers could be
8 eligible for UI benefits, and to allow workers who may have exhausted
9 UI benefits under traditional programs to receive benefits.

~~10 3. The CARES Act further expanded the ability of states to provide~~
11 benefits to unemployed workers by creating three new unemployment
12 programs, namely, the Pandemic Unemployment Assistance ("PUA") program,
13 which permitted states to provide benefits to individuals who were self-
14 employed, seeking part-time employment, or otherwise would not qualify
15 for regular unemployment benefits, the Federal Pandemic Unemployment
16 Compensation ("FPUC") Program, which provided an additional amount in
17 federal benefits to individuals collecting traditional UI program
18 benefits; and the Pandemic Emergency Unemployment Compensation ("PEUC")
19 program, which provided additional weeks of benefits for individuals who
20 had otherwise exhausted their entitlement to regular UI benefits
21 (collectively referred to herein as "expanded pandemic UI benefits").
22 PUA and FPUC benefits were 100% federally funded benefits paid through
23 state UI agencies. To receive UI, PUA, PEUC, and FPUC benefits from a
24 state UI agency, an applicant could file a claim, via the internet, with
25 the state UI agency from which he was eligible to seek benefits.

26 4. California EDD provided unemployment insurance benefits for
27 regular UI and expanded UI pandemic benefits to individuals whom
28

1 California EDD determined were entitled to receive such benefits through
2 debit cards, which were funded by California EDD and issued by Bank 1.

3 5. California EDD's determination of whether the individuals were
4 entitled to receive unemployment insurance benefits relied, in part, on
5 confirmations from the individual's employer that the employee had
6 ~~worked with the employer.~~

7 6. Once a debit card for unemployment insurance benefits was
8 issued, California EDD funded those debit cards by having funds drawn
9 from the United States federal treasury in Washington, D.C., and wired
10 ~~to Bank 1.~~

11 7. Bank 1 utilized debit processing services located in Colorado
12 and Virginia to create accounts, load funds, and post payments for
13 unemployment insurance debit cards. When a withdrawal was made from an
14 account using a debit card, information was sent electronically to
15 servers in Colorado and Virginia to post a debit to the account.

16 8. Between March and October 2020, over 8 million Californians
17 applied for unemployment benefits. In light of the high volume of
18 applications, on October 5, 2020, California implemented a new
19 verification process for EDD through ID.me, which provided an automated
20 process with a virtual in-person session with an ID.me representative,
21 known as a "trusted referee," to quickly verify the identity of the
22 applicant through a multi-step process using both Artificial
23 Intelligence and Human Intelligence.

24 9. With the addition of ID.me, each applicant needed to complete
25 a verification process before applying for benefits. Once the
26 verification process was completed, the applicant could re-enter the EDD
27 portal and apply for benefits. The applicant would be given a
28

1 "Confirmation Number" connected to their application for future
2 reference.

3 10. Once approved for pandemic benefits, the recipient of the
4 benefits would be required to periodically recertify under penalty of
5 perjury that, among other things, the recipient was unemployed due to
6 ~~the COVID-19 pandemic and therefore remained eligible to receive~~
7 pandemic benefits.

8 Counts 1-3
9 **Wire Fraud Conspiracy**
10 **18 U.S.C. § 1349**

11 11. The foregoing paragraphs are hereby incorporated by reference
12 as if fully stated herein.

13 12. On or about the dates specified below, within the Southern
14 District of California, and elsewhere, the listed defendants knowingly
15 and intentionally conspired and agreed with each other and with persons
16 known and unknown to the Grand Jury to commit the offense of wire fraud,
17 that is, to knowingly devise a material scheme and artifice to defraud
18 and to obtain money and property by means of materially false and
19 fraudulent pretenses, representations, and promises, and by intentional
20 concealment and omission of material facts, and in executing said scheme,
21 caused writings, signs and signals to be transmitted by means of wire
22 in interstate commerce, in violation of Title 18, United States Code,
23 Section 1343.

24 **THE OBJECT OF THE CONSPIRACY TO DEFRAUD**

25 13. The object of each conspiracy was for defendant [REDACTED]
26 [REDACTED], aka [REDACTED], hereinafter referred to as [REDACTED],
27 and [REDACTED] Bobi Sandu (previously charged), hereinafter referred to
28 as SANDU, to facilitate the fraudulent EDD applications for their co-
conspirators, including defendants [REDACTED], [REDACTED],

1 [REDACTED], [REDACTED], [REDACTED] and others
2 known and unknown to the Grand Jury, in order to unlawfully enrich
3 themselves by filing and causing the filing of fraudulent claims for UI
4 benefits and expanded UI pandemic benefits, ultimately resulting in an
5 aggregate of at least \$5,178,276.00 of stolen funds from the State of
6 California.

7 **THE MEANS AND MANNER OF THE CONSPIRACY**

8 14. The object of each conspiracy was carried out, and to be
9 carried out, in substance, as follows:

10 ~~a. It was part of the conspiracy that [REDACTED] and SANDU~~
11 would cooperate in assisting hundreds of fraudulent applicants to apply
12 for millions of dollars of California EDD benefits to which they were
13 not entitled.

14 b. It was further part of the conspiracy that [REDACTED] and
15 SANDU would develop a process to apply for EDD benefits by creating
16 fraudulent identifications, falsified utility bills, falsified earnings
17 statements, falsified W-2s, and falsified health insurance cards that
18 they provided to fraudulent applicants for use in their applications.

19 c. It was further part of the conspiracy that [REDACTED] and
20 SANDU would often "backdate" or modify an EDD application with an earlier
21 fictitious unemployment start date to generate the greatest amount of
22 fraudulent income, and therefore, the greatest payout of undeserved
23 benefits.

24 d. It was further part of the conspiracy that [REDACTED]
25 would submit two applications for EDD benefits for himself on July 6,
26 2021 and July 29, 2021.

1 e. It was further part of the conspiracy that beginning in
2 July 2021, [REDACTED] and SANDU would send public announcements via
3 Facebook to a large network of associates, advertising and offering
4 their services in conducting the fraud.

5 f. It was further part of the conspiracy that [REDACTED] and
~~6 SANDU would communicate with fraudulent applicants via Facebook~~
7 messaging or other electronic means, and/or meet with them in person to
8 collect their personal identifiable information (PII) for purposes of
9 generating false identifications and supporting documents, and
~~10 submitting fraudulent applications.~~

11 g. It was further part of the conspiracy that [REDACTED] and
12 SANDU would use PII provided by fraudulent applicants to create or have
13 others create false identifications and supporting documents, which
14 would be submitted in connection with the fraudulent applications for
15 UI benefits from EDD.

16 h. It was further part of the conspiracy that [REDACTED] and
17 SANDU would meet with co-conspirators at parks within the Southern
18 California area to submit fraudulent EDD applications and conduct ID.me
19 video verification sessions.

20 i. It was further part of the conspiracy that [REDACTED] and
21 SANDU would use four common electronic devices to create and/or
22 manipulate the majority of the ID.me accounts that hundreds of fraudulent
23 applicants used to apply for EDD benefits.

24 j. It was further part of the conspiracy that a fraudulent
25 applicant would typically pay SANDU a \$1,000.00 down payment for his
26 assistance at the time of the application and \$1,500.00 after an
27 applicant received the undeserved benefits from EDD. SANDU would then
28

1 typically pay [REDACTED] \$400.00 to \$500.00 and up to \$1,000.00 of this
2 fee received for [REDACTED] unlawful assistance. On other occasions,
3 fraudulent applicants would pay [REDACTED] directly for his unlawful
4 assistance.

5 k. It was further part of the conspiracy that a fraudulent
~~6 applicant would regularly conduct ATM balance inquiries to ascertain the~~
7 amount of undue EDD benefits in their account, in order to plan
8 withdrawals of the funds, which were often conducted in structured
9 amounts. Thereafter, it was part of the conspiracy that a fraudulent
~~10 applicant would obtain his or her undue EDD benefits through ATM or~~
11 teller cash withdrawals and would frequently repatriate the funds to
12 Romania.

13 l. It was further part of the conspiracy that, between July
14 2020 and August 2022, [REDACTED] sent (or caused to be sent) \$
15 \$128,912.09 of fraud proceeds via money services businesses (MSBs) to
16 his associates in Romania.

17 Count 1
18 **Wire Fraud Conspiracy**
19 **18 U.S.C. § 1349**

19 [REDACTED] (D1), [REDACTED] (D2), and [REDACTED] (D3)

20 15. The foregoing paragraphs are hereby incorporated by reference
21 as if fully stated herein.

22 16. Beginning in or about July 2020, and continuing to in or about
23 August 2022, within the Southern District of California, and elsewhere,
24 defendants [REDACTED], aka [REDACTED], [REDACTED], and
25 [REDACTED] knowingly and intentionally conspired and agreed with
26 each other and with persons known and unknown to the Grand Jury to commit
27 the offense of wire fraud, that is, to knowingly devise a material scheme
28

1 and artifice to defraud and to obtain money and property by means of
2 materially false and fraudulent pretenses, representations, and
3 promises, and by intentional concealment and omission of material facts,
4 and in executing said scheme, caused writings, signs and signals to be
5 transmitted by means of wire in interstate commerce, in violation of
6 ~~Title 18, United States Code, Section 1343.~~

7 17. The object of the conspiracy and its manner and means are
8 listed above in paragraphs 13 and 14.

9 18. In furtherance of the conspiracy and to effect its objects,
10 [REDACTED], [REDACTED], [REDACTED], and others known and
11 unknown to the Grand Jury, did commit and cause the commission of the
12 following overt acts, among others, in the Southern District of
13 California and elsewhere:

14 a. Beginning in July 2021, [REDACTED] and SANDU both posted
15 public messages on Facebook offering EDD application services or
16 meetings. On July 17, 2021, [REDACTED] marketed the EDD application
17 scheme on Facebook. An approximate English translation of the post which
18 was in Romanian reads "you want EDD account \$1,000.00 now."

19 b. Beginning on or about July 15, 2021 and continuing to on
20 or about October 15, 2021, SANDU and [REDACTED] communicated with ADRIAN
21 [REDACTED] via Facebook regarding EDD benefits for [REDACTED]
22 ([REDACTED]).

23 c. On or about July 15, 2021, [REDACTED] provided SANDU with
24 a falsified W-2 for [REDACTED].

25 d. On or about July 15, 2021, an EDD application was
26 submitted for [REDACTED], and [REDACTED] conducted a recorded video
27 verification session in support of her EDD application.

28

1 e. Between August 3, 2021 and October 15, 2021, [REDACTED]
2 [REDACTED] and [REDACTED] conducted ATM and teller cash withdrawals in the
3 Southern District of California and elsewhere to collect nearly
4 \$27,000.00 in undue EDD benefits.
5 All in violation of Title 18, United States Code, Section 1349.

6 Count 2

7 **Wire Fraud Conspiracy**
8 **18 U.S.C. § 1349**

8 [REDACTED] (D1), [REDACTED] (D6), and [REDACTED] (D7)]

9 19. The foregoing paragraphs are hereby incorporated by reference
10 as if fully stated herein.

11 20. Beginning in or about July 2020, and continuing to in or about
12 August 2022, within the Southern District of California, and elsewhere,
13 defendants [REDACTED], aka [REDACTED], [REDACTED] and
14 [REDACTED], knowingly and intentionally conspired and agreed with
15 each other and with persons known and unknown to the Grand Jury to commit
16 the offense of wire fraud, that is, to knowingly devise a material scheme
17 and artifice to defraud and to obtain money and property by means of
18 materially false and fraudulent pretenses, representations, and
19 promises, and by intentional concealment and omission of material facts,
20 and in executing said scheme, caused writings, signs and signals to be
21 transmitted by means of wire in interstate commerce, in violation of
22 Title 18, United States Code, Section 1343.

23 21. The object of the conspiracy and its manner and means are
24 listed above in paragraphs 13 and 14.

25 22. In furtherance of the conspiracy and to effect its objects,
26 [REDACTED], [REDACTED] and [REDACTED], and others known and unknown
27 to the Grand Jury, did commit and cause the commission of the following
28

1 overt acts, among others, within the Southern District of California,
2 and elsewhere:

3 a. Beginning in July 2021, [REDACTED] and SANDU both posted
4 public messages on Facebook offering EDD application services or
5 meetings. On July 17, 2021, [REDACTED] marketed the EDD application
6 ~~scheme on Facebook. An approximate English translation of the post which~~
7 was in Romanian reads "you want EDD account \$1,000.00 now."

8 b. Beginning on or about July 22, 2021 and continuing until
9 on or about August 31, 2021, defendant [REDACTED] communicated
10 with SANDU and [REDACTED] via Facebook message within the Southern
11 District of California and elsewhere regarding EDD applications for
12 [REDACTED], defendant [REDACTED], and 13 other unnamed co-
13 conspirators.

14 c. On July 22, 2021 and July 23, 2021, [REDACTED] and [REDACTED]
15 fraudulently applied for California EDD benefits and conducted recorded
16 video verification calls in support of their fraudulent EDD
17 applications.

18 d. In August and September 2021, [REDACTED] and [REDACTED] conducted ATM
19 and teller cash withdrawals to collect nearly \$28,350 each in undue EDD
20 benefits. In total, [REDACTED] facilitated the payout of no less than
21 \$244,050.00 in undue EDD benefits using [REDACTED] and SANDU's
22 assistance.

23 e. On September 10, 2021, [REDACTED] sent SANDU \$1,400.00 via
24 Zelle.

25 f. Between July 2020 and August 2022, [REDACTED] sent (or caused
26 to be sent) \$128,902.99 of fraud proceeds via MSBs to his associates in
27 Romania.

1 g. On or about December 13, 2022, [REDACTED] purchased a 2020 BMW
2 X6 for \$105,044 with cash fraud proceeds from Pacific BMW in Glendale,
3 California and shipped it to Romania on April 28, 2023 from a location
4 in San Diego.

5 All in violation of Title 18, United States Code, Section 1349.

6 Count 3

7 **Wire Fraud Conspiracy**

8 **18 U.S.C. § 1349**

9 [REDACTED] (D1) and [REDACTED] (D11)]

10 23. The foregoing paragraphs are hereby incorporated by reference
11 as if fully stated herein.

12 24. Beginning in or about July 2020, and continuing to in or about
13 August 2022, within the Southern District of California, and elsewhere,
14 defendants [REDACTED], aka [REDACTED], and [REDACTED]
15 [REDACTED] knowingly and intentionally conspired and agreed with each
16 other and with persons known and unknown to the Grand Jury to commit the
17 offense of wire fraud, that is, to knowingly devise a material scheme
18 and artifice to defraud and to obtain money and property by means of
19 materially false and fraudulent pretenses, representations, and
20 promises, and by intentional concealment and omission of material facts,
21 and in executing said scheme, caused writings, signs and signals to be
22 transmitted by means of wire in interstate commerce, in violation of
23 Title 18, United States Code, Section 1343.

24 25. The object of the conspiracy and its manner and means are
25 listed above in paragraphs 13 and 14.

26 26. In furtherance of the conspiracy and to effect its objects,
27 [REDACTED], [REDACTED], [REDACTED] and [REDACTED]
28 [REDACTED], and others known and unknown to the Grand Jury, did commit and

1 cause the commission of the following overt acts, among others, in the
2 Southern District of California and elsewhere:

3 a. Beginning in July 2021, [REDACTED] and SANDU both posted
4 public messages on Facebook offering EDD application services or
5 meetings. On July 17, 2021, [REDACTED] marketed the EDD application
~~6 scheme on Facebook. An approximate English translation of the post which~~
7 was in Romanian reads "you want EDD account \$1,000.00 now."

8 b. Beginning on or about July 21, 2021 and continuing to on
9 or about October 17, 2021, defendant [REDACTED]
~~10 communicated with SANDU and [REDACTED] via Facebook message about~~
11 fraudulent EDD applications for himself, unnamed co-conspirator [REDACTED],
12 and 10 other unnamed co-conspirators.

13 c. On July 23, 2023, a fraudulent EDD application for [REDACTED]
14 was submitted.

15 d. October 1, 2021, an ATM balance inquiry was conducted in
16 the Southern District of California from [REDACTED]'s EDD account. Altogether,
17 [REDACTED] facilitated the payout of no less than
18 \$281,100.00 in undue EDD benefits using [REDACTED] and SANDU's
19 assistance.

20 All in violation of Title 18, United States Code, Section 1349.

21 Count 4
22 Wire Fraud
23 18 U.S.C. § 1343

[REDACTED] (D1)]

24 27. The foregoing paragraphs are hereby incorporated by reference
25 as if fully stated herein.

26 28. Beginning no later than July 17, 2021, within the Southern
27 District of California, and elsewhere, defendant [REDACTED],
28 aka [REDACTED], did knowingly and with the intent to defraud, devise

1 a scheme and artifice to defraud and to obtain money by means of
2 materially false and fraudulent pretenses, representations, and
3 promises, utilizing the manner and means described above at
4 paragraphs 13 and 14, and for the purpose of executing such scheme and
5 artifice, transmit and caused to be transmitted, by means of wire
6 communication in interstate commerce, certain writings, signs, signals
7 and sounds, to wit, accessing an ATM in the Southern District of
8 California to conduct a balance inquiry on August 24, 2021.
9 All in violation of Title 18, United States Code, Section 1343.

10 Count 5

11 **Wire Fraud**

12 **18 U.S.C. § 1343**

13 **[REDACTED] (D2)]**

14 29. The foregoing paragraphs are hereby incorporated by reference
15 as if fully stated herein.

16 30. Beginning no later than July 14, 2021, within the Southern
17 District of California, and elsewhere, defendant [REDACTED], did
18 knowingly and with the intent to defraud, devise a scheme and artifice
19 to defraud and to obtain money by means of materially false and
20 fraudulent pretenses, representations, and promises, utilizing the
21 manner and means described above at paragraphs 13 and 14, and for the
22 purpose of executing such scheme and artifice, transmit and caused to
23 be transmitted, by means of wire communication in interstate commerce,
24 certain writings, signs, signals and sounds, to wit, accessing an ATM
25 in the Southern District of California to conduct a cash withdrawal on
26 August 4, 2021.

27 All in violation of Title 18, United States Code, Section 1343.

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Counts 6-8
Wire Fraud
18 U.S.C. § 1343
[REDACTED] (D4)]

31. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

32. Beginning no later than July 17, 2021, within the Southern District of California, and elsewhere, defendant [REDACTED], did knowingly and with the intent to defraud, devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, utilizing the manner and means described above at paragraphs 13 and 14, and for the purpose of executing such scheme and artifice, transmit and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals and sounds sent or caused to be sent from the Southern District of California, as more particularly described below:

Count	Date	Wire Communication
6	August 5, 2021	Using an EDD-issued debit card at a point of sale terminal
7	August 8, 2021	Using an EDD-issued debit card at a point of sale terminal
8	August 24, 2021	Conducting a cash withdrawal via a teller

All in violation of Title 18, United States Code, Section 1343.

Count 9
Wire Fraud
18 U.S.C. § 1343
[REDACTED] (D8)]

33. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

1 34. Beginning no later than June 21, 2021, within the Southern
2 District of California, and elsewhere, defendant [REDACTED],
3 did knowingly and with the intent to defraud, devise a scheme and
4 artifice to defraud and to obtain money by means of materially false and
5 fraudulent pretenses, representations, and promises, utilizing the
~~6 manner and means described above at paragraphs 13 and 14, and for the~~
7 purpose of executing such scheme and artifice, transmit and caused to
8 be transmitted, by means of wire communication in interstate commerce,
9 certain writings, signs, signals and sounds, to wit, accessing an ATM
~~10 in the Southern District of California to conduct a cash withdrawal on~~
11 September 23, 2021.

12 All in violation of Title 18, United States Code, Section 1343.

13 Counts 10-11

14 Wire Fraud

15 18 U.S.C. § 1343

16 [FLORIN NICOLAE (D9)]

17 35. The foregoing paragraphs are hereby incorporated by reference
18 as if fully stated herein.

19 36. Beginning no later than June 27, 2021, within the Southern
20 District of California, and elsewhere, defendant FLORIN NICOLAE,
21 aka Gabriel Stoica, aka Moise Devis, did knowingly and with the intent
22 to defraud, devise a scheme and artifice to defraud and to obtain money
23 by means of materially false and fraudulent pretenses, representations,
24 and promises, utilizing the manner and means described above at
25 paragraphs 13 and 14, and for the purpose of executing such scheme and
26 artifice, transmit and caused to be transmitted, by means of wire
27 communication in interstate commerce, certain writings, signs, signals
28 and sounds sent or caused to be sent from the Southern District of
California, as more particularly described below:

Count	Date	Wire Communication
10	August 12, 2021	Conducting an ATM balance inquiry
11	August 12, 2021	Conducting an ATM balance inquiry

All in violation of Title 18, United States Code, Section 1343.

Count 12
Wire Fraud
18 U.S.C. § 1343
[REDACTED] (D10)]

37. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

38. Beginning no later than July 15, 2021, within the Southern District of California, and elsewhere, defendant [REDACTED] did knowingly and with the intent to defraud, devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, utilizing the manner and means described above at paragraphs 13 and 14, and for the purpose of executing such scheme and artifice, transmit and caused to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals and sounds, to wit, accessing an ATM in the Southern District of California to conduct a cash withdrawal on August 24, 2021.

All in violation of Title 18, United States Code, Section 1343.

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1 purpose of executing such scheme and artifice, transmit and caused to
2 be transmitted, by means of wire communication in interstate commerce,
3 certain writings, signs, signals and sounds, to wit, accessing an ATM
4 in the Southern District of California to conduct a cash withdrawal on
5 August 4, 2021.

6 ~~All in violation of Title 18, United States Code, Section 1343~~

7 **Counts 15-17**

8 **Wire Fraud**

9 **18 U.S.C. § 1343**

10 **[REDACTED] (D14)]**

11 43. The foregoing paragraphs are hereby incorporated by reference
12 as if fully stated herein.

13 44. Beginning no later than June 25, 2021, within the Southern
14 District of California, and elsewhere, defendant [REDACTED] did
15 knowingly and with the intent to defraud, devise a scheme and artifice
16 to defraud and to obtain money by means of materially false and
17 fraudulent pretenses, representations, and promises, utilizing the
18 manner and means described above at paragraphs 13 and 14, and for the
19 purpose of executing such scheme and artifice, transmit and caused to
20 be transmitted, by means of wire communication in interstate commerce,
21 certain writings, signs, signals and sounds sent or caused to be sent
22 from the Southern District of California, as particularly described
23 below:

Count	Date	Wire Communication
15	July 20, 2021	Conducting an ATM balance inquiry
16	July 20, 2021	Conducting an ATM cash withdrawal
17	July 20, 2021	Conducting an ATM cash withdrawal

28 All in violation of Title 18, United States Code, Section 1343.

[REDACTED] (D2) and [REDACTED] (D3)]

46. Beginning on July 2020, and continuing to and until September, 2022, within the Southern District of California, and elsewhere, defendants [REDACTED] and [REDACTED], did knowingly and intentionally conspire and agree among themselves and with others known and unknown to the Grand Jury, to commit the following money laundering

offense, to wit: to transport, transmit and transfer and attempt to transport, transmit and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States-knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, violations of Wire Fraud and Conspiracy to Commit Wire Fraud in violation of Title 18, United States Code, Sections 1343 and 1349; all in violation of Laundering of Monetary Instruments and Conspiracy to Launder Monetary Instruments; all in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 1956(h).

19

46. On or about August 21, 2021, within the Southern District of California, defendant [REDACTED], aka [REDACTED], transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,500.00 USD from a bank account in the United States ~~to a bank account controlled, managed, supervised, directed, and owned~~ by B.S.M. in Romania - with the intent to promote the carrying on of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(A).

Count 20
Laundering of Monetary Instruments
18 U.S.C. § 1956(a) (2) (B) (i)
[REDACTED] (D4)]

47. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

48. On or about June 23, 2021, within the Southern District of California, defendant [REDACTED] transported, transmitted, and transferred a monetary instrument and funds from a place in the United States to a place outside the United States - to wit, approximately \$2,500.00 USD from a bank account in the United States to a bank account controlled, managed, supervised, directed, and owned by [REDACTED] in Romania - knowing that the monetary instrument and funds represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, Wire Fraud in violation of Title 18, United States Code, Section 1343; all in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

1 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania
2 - knowing that the monetary instrument and funds represented the proceeds
3 of some form of unlawful activity, and knowing that such transportation,
4 transmission, and transfer was designed in whole and in part to conceal
5 and disguise the nature, the location, the source, the ownership, and
6 ~~the control of the proceeds of specified unlawful activity, to wit, Wire~~
7 Fraud in violation of Title 18, United States Code, Section 1343; all
8 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

9 **Count 23**
10 **Laundering of Monetary Instruments**

11 **18 U.S.C. § 1956(a)(2)(B)(i)**
12 **[REDACTED] (D7)]**

13 53. The foregoing paragraphs are hereby incorporated by reference
14 as if fully stated herein.

15 54. On or about August 23, 2020, within the Southern District of
16 California, defendant [REDACTED] transported, transmitted, and
17 transferred a monetary instrument and funds from a place in the United
18 States to a place outside the United States - to wit, approximately
19 \$2,500.00 USD from a bank account in the United States to a bank account
20 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania
21 - knowing that the monetary instrument and funds represented the proceeds
22 of some form of unlawful activity, and knowing that such transportation,
23 transmission, and transfer was designed in whole and in part to conceal
24 and disguise the nature, the location, the source, the ownership, and
25 the control of the proceeds of specified unlawful activity, to wit, Wire
26 Fraud in violation of Title 18, United States Code, Section 1343; all
27 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).
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1 \$2,900.00 USD from a bank account in the United States to a bank account
2 controlled, managed, supervised, directed, and owned by [REDACTED] in Romania
3 - knowing that the monetary instrument and funds represented the proceeds
4 of some form of unlawful activity, and knowing that such transportation,
5 transmission, and transfer was designed in whole and in part to conceal
6 ~~and disguise the nature, the location, the source, the ownership, and~~
7 the control of the proceeds of specified unlawful activity, to wit, Wire
8 Fraud in violation of Title 18, United States Code, Section 1343; all
9 in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

10 Count 26

11 **Laundering of Monetary Instruments**

12 **18 U.S.C. § 1956(a)(2)(B)(i)**

13 **[REDACTED] (D13)]**

14 59. The foregoing paragraphs are hereby incorporated by reference
15 as if fully stated herein.

16 60. On or about August 23, 2021, within the Southern District of
17 California, defendant [REDACTED] transported, transmitted, and
18 transferred a monetary instrument and funds from a place in the United
19 States to a place outside the United States - to wit, approximately
20 \$2,500.00 USD from a bank account in the United States to a bank account
21 controlled, managed, supervised, directed, and owned by [REDACTED] in
22 Romania - knowing that the monetary instrument and funds represented the
23 proceeds of some form of unlawful activity, and knowing that such
24 transportation, transmission, and transfer was designed in whole and in
25 part to conceal and disguise the nature, the location, the source, the
26 ownership, and the control of the proceeds of specified unlawful
27 activity, to wit, Wire Fraud in violation of Title 18, United States
28 Code, Section 1343; all in violation of Title 18, United States Code,
Section 1956(a)(2)(B)(i).

61. The foregoing paragraphs are hereby incorporated by reference as if fully stated herein.

FORFEITURE ALLEGATIONS

63. The allegations contained in Counts 1 through 27 of this Indictment are re-alleged and incorporated by their reference for the purpose of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(a)(1).

25

1 [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]
2 [REDACTED], and [REDACTED], shall forfeit to the United
3 States of America, pursuant to Title 18, United States Code,
4 Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c),
5 all their rights, title, and interest in any property, real or personal,
6 ~~which constitutes or is derived from proceeds traceable to the offenses.~~

7 65. Upon conviction of one and more of the offenses in violation
8 of Title 18, United States Code, Section 1343, as set forth in Counts 4
9 through 17 of this Indictment, defendants [REDACTED], aka [REDACTED]
10 [REDACTED], [REDACTED], [REDACTED], [REDACTED],
11 FLORIN NICOLAE, aka Gabriel Stoica, aka Moise Devis, [REDACTED],
12 [REDACTED], aka [REDACTED], [REDACTED], and [REDACTED], shall
13 forfeit to the United States of America, pursuant to Title 18, United
14 States Code, Section 981(a)(1)(C) and Title 28, United States Code,
15 Section 2461(c), all their rights, title, and interest in any property,
16 real or personal, which constitutes or is derived from proceeds traceable
17 to the offenses.

18 66. Upon conviction of the offense in violation of Title 18, United
19 States Code, Section 1956(h), set forth in Count 18 of this Indictment,
20 defendants [REDACTED] and [REDACTED], shall forfeit to the
21 United States of America, pursuant to Title 18, United States Code,
22 Section 982(a)(1), any property, real or personal, involved in the
23 offense and any property traceable to such property.

24 67. Upon conviction of one and more of the offenses in violation
25 of Title 18, United States Code, Section 1956(a)(A), set forth in
26 Count 19 of this Indictment, defendant [REDACTED] aka [REDACTED]
27 [REDACTED], shall forfeit to the United States of America, pursuant to
28

1 Title 18, United States Code, Section 982(a)(1), any property, real or
2 personal, involved in the offense and any property traceable to such
3 property. The property to be forfeited includes, but is not limited to:

4 a. **approximately \$128,912.09 worth of cash or financial**
5 **instruments as detailed in paragraph 14(1) of this indictment.**

6 68. Upon conviction of one and more of the offenses in violation
7 of Title 18, United States Code, Section 1956(a)(2)(B)(i), set forth in
8 Counts 20 through 27 of this Indictment, defendants [REDACTED],
9 [REDACTED], [REDACTED], [REDACTED],
10 [REDACTED] and [REDACTED], shall forfeit to the United States of
11 America, pursuant to Title 18, United States Code, Section 982(a)(1),
12 any property, real or personal, involved in the offenses and any property
13 traceable to such property.
14

15 69. Upon conviction of the offense set forth in Count 22
16 which alleges a violation of Title 18, United States Code,
17 Section 1956(a)(2)(B)(i), defendant [REDACTED], shall forfeit to the
18 United States all defendant's rights, title, and interest in all property
19 involved in the offense. The property to be forfeited includes, but is
20 not limited to a 2020 BMW X6, bearing VIN number 5YMCY0C08L9C5932971,
21 and \$128,902.99 worth of cash or financial instruments.
22

23 70. If any of the property described above, as a result of any act
24 or omission of the defendants:

- 25 a. cannot be located upon the exercise of due diligence;
26 b. has been transferred or sold to, or deposited with, a third
27 party;
28

1 c. has been placed beyond the jurisdiction of the court;

2 d. has been substantially diminished in value; or

3 e. has been commingled with other property which cannot be
4 divided without difficulty,

5 the United States of America shall be entitled to forfeiture of
6 ~~substitute property pursuant to Title 21, United States Code,~~
7 Section 853(p), as incorporated by Title 18, United States Code,
8 Section 982(b), and Title 28, United States Code, Section 2461(c).

9 All pursuant to Title 18, United States Code, Section 981(a)(1)(C),
10 ~~982(a)(1), 982(b), Title 21, United States Code, Section 853(p), and~~
11 Title 28, United States Code, Section 2461(c).

12 DATED: October 6, 2023.

13 A TRUE BILL:

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16 TARA K. MCGRATH
17 United States Attorney

18 By: *Jessica Adeline Schulberg*
19 JESSICA ADELINE SCHULBERG
20 Assistant U.S. Attorney

I hereby attest and certify on Oct 10, 2023 that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

Clerk, U.S. District Court
Southern District of California

By: s/D. Martinez
Deputy



SEALED

PLEASE RECEPT AND RETURN

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Florin Nicolae (9)
A.K.A Gabriel Stoica A.K.A Moise
Devis

WARRANT FOR ARREST

Case Number: 23-cr-2090-LAB-9

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Florin Nicolae (9)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition
☐ Pretrial Violation

charging him or her with (brief description of offense):

18:1343 - Wire Fraud

18:981(a)(1)(C), 982(a)(1), 982(b), 21:853(p), 28:2461(c) - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s)

John Morrill

Name of Issuing Officer

Clerk of the Court

Title of Issuing Officer

s/ D. Martinez

Signature of Deputy

D. Martinez

10/10/2023 San Diego, CA

Date and Location

Bail fixed at \$ No Bail

by The Honorable Michael S. Berg

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		